

E-filed 5/10/07

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Attorneys for Plaintiff

9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 UNITED STATES OF AMERICA,) No. CR-06-00384-JF

13 Plaintiff,)

) **STIPULATION CONTINUING STATUS**
) **DATE AND EXCLUDING TIME AND**
) **[PROPOSED] ORDER**

14 v.)
15)

16 YUEQIANG CHEN,)
17 a/k/a Bill Chen,)

18 Defendant.)
19)

20 **IT IS HEREBY STIPULATED AND AGREED**, by and between Scott N. Schools, United
21 States Attorney, and Matthew A. Parrella, Assistant United States Attorney, counsel for the
22 United States of America, and Steven Manchester, Esq., counsel for defendant, that the status
23 date currently scheduled for May 9, 2007, be vacated and continued to June 27, 2007, or to a date
24 thereafter at the convenience of the Court.

25 This Stipulation is entered into for the following reasons:

26 1. The pending indictment is part of a larger investigation involving large amounts
27 of complex documents and records in both paper and computer formats. The discovery process
28 has begun and the government has disclosed 4 CD's of material, as well as 366 pages of paper

1 documents. Additional discovery is being prepared for disclosure. The parties are engaged in
2 ongoing communications and negotiations and these may require disclosure of materials not
3 contemplated by the discovery made for the charges in the indictment. The defense requires
4 additional time to review the discovery in order to continue its effective preparation, taking into
5 account the exercise of due diligence.

6 2. Counsel for the defendant has spoken with the defendant and the defendant has no
7 objections to the continuance sought herein.

8 3. The defendant is not in custody. The defendant is preparing for extended travel,
9 approved by Magistrate Judge Seeborg, which travel impacts on the length of the proposed
10 continuance.

11 4. This continuance is sought to save the court's time and resources, to allow time
12 for the Government to evaluate and analyze new information which will have a bearing on
13 sentencing calculations and therefore plea negotiations.

14 5. The parties agree that this matter should be deemed complex pursuant
15 to 18 U.S.C. § 3161(h)(8)(B)(ii) and request that the court do so in its order;

16 6. Additionally, denial of this request could result in a miscarriage of justice, taking
17 into account the exercise of due diligence.

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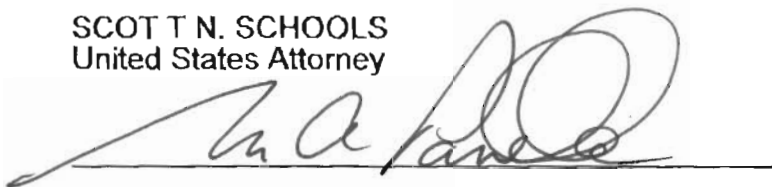
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7. The additional time requested by this stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(1)(F), 3161(h)(7), and 3161(H)(8)(A), considering the factors under Title 18 United States Code, Sections 3161(h)(8)(B)(i) and 3161(h)(8)(B)(iv).

DATED this 7 day of May, 2007.

SCOTT N. SCHOOLS
United States Attorney



MATTHEW A. PARRELLA
Assistant United States Attorney

5/7/07
DATE



STEVEN R. MANCHESTER
Attorney for Defendant

5/2/09
DATE

1 Based upon the foregoing representations made by the parties by stipulated motion, and
2 good cause appearing therefor,

3 **IT IS HEREBY ORDERED** that the time between May 9, 2007 and June 27, 2007 shall
4 be excluded from the computation the period within which the trial must commence, for the
5 reasons and based upon the statutory provisions set forth above, and for those reasons proffered
6 by the parties. The Court finds that the ends of justice outweigh the interests of the public and
7 the parties in a speedier trial based upon the grounds set forth above.

8 **IT IS FURTHER ORDERED** that the matter shall be removed from the Court's
9 calendar on May 9, 2007 and set for status on June 27, 2007, or a date thereafter at the
10 convenience of the Court.

11 DATED: 5/10/07

12 nunc pro tunc to 5/9/07

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14 JEREMY FOGEL
15 United States District Judge
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